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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,273	02/08/2002	Alberto Sid	H49-047 US	1987
21706	7590	10/22/2003	EXAMINER	
NOTARO AND MICHALOS 100 DUTCH HILL ROAD SUITE 110 ORANGEBURG, NY 10962-2100			NEILS, PEGGY A	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 10/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/072,273	SID, ALBERTO <i>N</i>
	Examiner	Art Unit
	Peggy A. Neils	2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 July 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) 47-57 is/are withdrawn from consideration.
- 5) Claim(s) 39-46 is/are allowed.
- 6) Claim(s) 1,5-8,10-12,14-17,24-26 and 30-38 is/are rejected.
- 7) Claim(s) 2-4,9,13,18-23 and 27-29 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Applicant's election without traverse of Invention I – Claims 1-46 in Paper No. 7 is acknowledged.

Claims 6 and 16 are objected to because of the following informalities: At the end of each claim "microprocessor" is set forth but it should be –microcontroller—which has been set forth earlier in the claim. Appropriate correction is required.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5, 6, 10-12, 14-16, 24-26 and 30-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cercone et al.

Cercone et al shows a lighting control system which include fluorescent lamps, a remote control 132 having a remote keypad and signal means for transmitting a wireless remote control signal containing instructions, a serial network output port and a controller contained within the light and connected to the light and to the serial network output port (see Figure 13 and the specification in column 9, beginning at line 60). The serial network protocol is disclosed as being a DMX-512 control panel. See discussion in column 6, beginning at line 6. The remote control device is disclosed as an infrared control (see column 6, line 16).

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Claims 7, 8 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cercone et al as applied to claims 6 and 16 above, and further in view of Taylor et al 5,769,527.

Taylor et al teaches that it is known in the art to control various parameters of a stage lighting system using a computer. It would have been obvious to one skilled in the art that Cercone et al could be modified to include a control parameter for keeping track of the hours of operation of a lamp in the same manner as taught by Taylor et al because both references are directed to computer controlled multi-light systems.

Allowable Subject Matter

Claims 39-46 are allowed.

The following is an examiner's statement of reasons for allowance: Claims 39-46 are allowable over the prior art because Claim 39 sets forth a control light for a lighting control system having a pair of serial network protocol-controllable devices each having a serial network protocol address, a housing and a lamp in the housing, a serial network protocol controller for dimming the lamp in a first operation mode and the controller including linearization means for linearizing the dimming curve for the lamp. This combination of limitations was not shown or suggested by the prior art.

Claims 2-4, 9, 13, 18-23, and 27-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: Claims 2-4, 9, 13, 18-23 and 27 –29 are considered to have allowable subject

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matter because Claims 2, 9, 13, 18 and 27 all set forth the linearization means in the controller for linearizing a dimming curve for the light to dim. This limitation was not found or suggested by the prior art. The other claims depend from those above-mentioned claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Belliveau, Dowling et al, Ito et al, and Hunt et al are cited of interest.

Any questions regarding this Office action should be directed to Examiner Neils at (703) 308-6554.



**Y. MY QUACH-LEE
PRIMARY EXAMINER**